

REMARKS

Upon entry of the present amendment, claims 1, 2, 5 and 7-26 will have been amended to more clearly recite the claimed subject matter, while not substantially affecting or narrowing the scope of these claims. Further, claims 1 and 23 will have been amended to recite that that call routing service of the present application is activated, in part, by instructions received over the Internet or packet switched data network, respectively. Also, claims 8 and 15 will have been amended to expressly recite implementation through an advanced intelligent network. Applicants respectfully submit that all pending claims are now in condition for allowance.

In the above-referenced Official Action, the Examiner rejected claims 1-26 under 35 U.S.C. § 103(a) as being unpatentable over BRENNAN *et al.* (U.S. Patent No. 5,329,578) in view of WHEELER JR. *et al.* (U.S. Patent No. 5,583,920). Applicants respectfully traverse this rejection at least for the reasons stated below.

The claimed embodiment of the invention is directed to controlling incoming calls to a subscriber's terminal. The calling party is given an option to page the subscriber or to be placed in voice mail, unless the calling party has a personal identification number that enables the calling party to bypass the voice mail and reach the subscriber's terminal. The claimed embodiment of the present invention thus enables the subscriber to control calls to the subscriber's terminal.

Independent claim 5 is clearly distinguishable from BRENNAN *et al.* because it recites a specific interaction between a service control point (SCP) and an intelligent peripheral that collects data from the calling party, which is not suggested by BRENNAN *et al.* In particular, when calling party number data received by the SCP is associated with a number of the intelligent peripheral (as

opposed to a number of the actual calling party), it indicates that the actual calling party has successfully bypassed the screening (e.g., by entering an acceptable personal identification number) and accordingly the SCP sends instructions to complete the call to the subscriber's terminal. Otherwise, if the calling party number data is not associated with the number of the intelligent peripheral, the SCP executes the incoming call screening process. For purposes of clarification, claim 5 (and claim 7 depending from claim 5) has been amended to recite that the SCP receives calling party data, so it is clear that the data being received by the SCP may comprise the number of the intelligent peripheral (and thus not necessarily the number of the actual calling party). Accordingly, withdrawal of the rejection of claim 5 is further requested, as well as of claims 6 and 7 which depend from claim 5.

Independent claims 8 and 15 are distinguishable from BRENNAN *et al.* because they recite implementation of advanced intelligent network (AIN) services. For example, the claims recite an SCP that implements the call routing service and makes routing determinations based on information in a call routing service account associated with the subscriber telephone number, as well as call data comprising the subscriber telephone number and a calling party telephone number. The preambles of claims 8 and 15 have been amended to expressly recite the AIN, although this amendment does not narrow the scope of the claims because the claims previously recited AIN elements and functionality (e.g., the SCP). BRENNAN *et al.* do not teach or suggest an AIN implementation, so accordingly, withdrawal of the rejections based on BRENNAN *et al.* is respectfully requested.

Independent claims 1 and 23, as amended, are likewise distinguishable from BRENNAN *et al.* because they recite that the call routing service is activated based at least in part on instructions

received over the Internet or a packet switched data network. BRENNAN *et al.* do not teach or suggest activation of call services by the subscriber over the Internet or other packet switched data network. Accordingly, withdrawal of the rejections based on BRENNAN *et al.* is respectfully requested.

The Examiner again relied on WHEELER, JR. *et al.* only to teach inputting a personal identification number to connect a call. Therefore, WHEELER, JR. *et al.* do not overcome the deficiencies of BRENNAN *et al.* Accordingly, no proper combination of BRENNAN *et al.* and WHEELER, JR. *et al.* teach or suggest the claimed embodiments of the present invention.

With regard to claims 2-4, 6-7, 9-14, 16-22 and 24-26, Applicants assert that they are allowable at least because they depend, directly or indirectly, from independent claims 1, 5, 8, 15 and 23, respectively, which Applicants submit have been shown to be allowable, in addition to reasons related to the corresponding recitations of these dependent claims. For example, the Examiner asserted that WHEELER, JR. *et al.*, teach an SMS 41 connectable to an SCP 43, and an ISCP 40 including a terminal subsystem service creation environment (SCE) 42 for programming the database in the SCP 43. However, assuming the SCE 42 is a graphical user interface, it is integral to the intelligent network, apparently for use by the network provider to program the SCP 43. In contrast, the claimed embodiment of the present invention is directed to enabling the subscriber to access the service management system over a packet switched data network (*e.g.*, the Internet) in order to customize the service, for example, by creating and implementing a schedule or personal identification number. Accordingly, claims 11, 14 and 17 are allowable for at least these additional reasons.

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In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of previously asserted rejections set forth in the Official Action of September 9, 2004, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

The amendments to the claims in this Reply have been made to clarify the claims, and have not been made to overcome rejections based upon the prior art. The amendments should therefore be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
Nancy BOOK et al.

Bruce H. Bernstein  
Reg. No. 29,027

A handwritten signature in black ink, appearing to read "Bruce H. Bernstein". To the right of the signature is the number "Reg. No. 29,027". Above the signature, there is a handwritten mark that looks like a stylized "B" or "N" followed by "No 33630".

December 9, 2004  
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